



Naval Air Training Command

Standards of Conduct Quick Reference Guide

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January 2016

Table of Contents	<u>Page</u>
Whom to Call for Advice.....	ii
General Principles of Public Service.....	1
Gifts.....	2
Gifts From Outside Sources	2
What’s a Prohibited Source?	2
What’s a Gift?.....	2
What’s Not a Gift?.....	3
Gifts That You May Keep	3
Disposition of Improper Gifts	4
Gifts Between Employees	5
Conflicts of Interest	6
Conflicting Financial Interests	6
Bribery and Graft.....	6
Commercial Dealings Between DoD Employees	6
Representation of Others in Matters Affecting Government.....	6
Impartiality in Performing Official Duties	7
Misuse of Position	7
Use of Government Resources.....	7
Fundraising	8
Outside Activities.....	8
Political Activities	8
Employment Issues.....	9
Sources of Further Information	9

Whom to Call for Advice

The CNATRA Legal Office is composed of military (JAGC) and civilian (OGC) attorneys and paralegals. The attorneys are designated “Ethics Counselors.”

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IMPORTANT ADVICE

If you’re not positive that what you’re about to do is appropriate, ask your supervisor. If questions remain, contact the CNATRA Legal Office. The Legal Office is here to advise and assist you in accomplishing NATRACOM’s mission of training the world’s finest naval aviators.

This Handbook provides a general summary of the rules. It does not include every exception, every requirement, or all the factors that must be considered in making certain decisions. If you are unsure, call your Ethics Counselor before you act.

The names used throughout this Guide are fictitious; the Rules are real.

GENERAL PRINCIPLES OF PUBLIC SERVICE (EXECUTIVE ORDER 12764)

<u>Do's</u>	<u>Don'ts</u>
 Place loyalty to the Constitution, the laws, and ethical principles above private gain	 Don't use nonpublic information to benefit yourself or anyone else
 Act impartially to all groups, persons, and organizations	 Don't solicit or accept gifts from persons or parties that do business with or seek official action from DoD (unless permitted by an exception)
 Give an honest effort in the performance of your duties	 Don't make unauthorized commitments or promises that bind the Government
 Protect and conserve Federal property	 Don't use Federal property for unauthorized purposes
 Disclose waste, fraud, abuse, and corruption to appropriate authorities	 Don't take jobs or hold financial interests that conflict with your Government responsibilities
 Fulfill in good faith your obligations as a citizen, and pay your Federal, State, and local taxes	 Don't take actions that give the appearance that they are illegal or unethical
 Comply with all laws providing equal opportunity to all persons, regardless of their race, color, religion, sex, national origin, age, or handicap	

Public Service is a Public Trust.

We are stewards of the taxpayer's investment in National Security.

Only by retaining the faith and confidence of the American people can we effectively accomplish our mission.

GIFTS

Gifts From Outside Sources

Rule: You may not accept a gift given:

- Because of your **official position**, or
- By a **prohibited source**

What's a Gift?

Anything of monetary value, to include services.

What's a "Prohibited Source"?

A prohibited source is any person or organization:

- Seeking official action by DoN
- Doing or seeking to do business with DoN
- Regulated by DoN, or
- Substantially affected by the performance of your official duties

Are There Exceptions to the Rule?

Yes, there are lots of common sense exceptions. But regardless of any exceptions that allow accepting gifts, it is **never permissible** to:

- Accept a gift in return for being influenced in the performance of an official act. This is a bribe!
- Solicit or coerce the offering of a gift
- Accept gifts from the same or different sources so frequently that a reasonable person would think you're using your office for private gain

Jeremy, a Computer.Com representative, is seeking to do business with DoN. He invites members of N8 to a golf tournament, with his company paying. N8 personnel cannot accept the gift of free green fees because Computer.Com is a prohibited source and because the offer is tendered based on their official position with N8.

Patty, an N4 employee, meets informally every week with representatives of defense contractors, who customarily treat her to a small breakfast. Although an exception might permit acceptance of these small breakfasts, Patty's recurring practice of accepting them is improper.

What's Not a Gift?

Here are examples of items that are not defined as “gifts”:

- Modest items of food and refreshments (like coffee and donuts)
- Prizes in contests open to the public
- Greeting cards and items with little intrinsic value, such as plaques, certificates, and trophies, intended only for presentation
- Commercial discounts available to the public or to all Government civilian or military personnel
- Anything the Government acquires by contract or otherwise legally accepts
- Anything for which you pay market value

Gifts That You May Keep

Remember, you don't have to accept a gift. It may be smart, depending on the circumstances, to decline a gift, even when it is allowed by the exceptions below.

- Gifts valued at \$20 or less, **but**
 - no cash
 - not more than \$50 in total from one source in a year
- Gifts motivated by personal relationships
- Certain discounts and similar benefits offered
 - by professional organizations
 - to groups unrelated to Government employment (such as AARP)
 - to groups in which membership is related to Government employment, if the same benefits are available to other, similar organizations. (e.g.: discounted loans to Gov't. credit union members.)
 - by a *non*-prohibited source to any group as long as not discriminatory on basis of rank, type of responsibility, or pay.
- Gifts resulting from you or your spouse's outside business activities

You may accept cups of coffee offered by a contractor at no charge.

If you enter your business card in a drawing sponsored by a Navy contractor that is open to the public, you may keep the prize.

On each of his quarterly visits, a sales rep of Dunder-Mifflin, Inc. gave Bonnie, an N1 employee, a company T-shirt, valued at \$10 each. During that period, Bonnie's brother, Steve, who also works for Dunder-Mifflin Inc., purchased for her a birthday present valued at \$60. Bonnie may keep all of the gifts given to her. The T-shirts don't exceed the \$50 annual limit from one source, and the gift from her brother is the result of a personal, not business, relationship.

Tom was offered two tickets, valued at \$30 a piece, to a Hooks game from an employee of a defense contractor. Since the price of each ticket exceeds the \$20 limit, Tom may only accept the tickets if he pays the contractor \$60, the full market value of the tickets.

- Free attendance provided by a state, local government, or tax exempt civic organization when there is a community relations interest
- Gifts accepted under specific statutory authority, such as certain gifts from a foreign government
- Certain educational scholarships and grants (consult your Ethics Counselor)
- Free attendance, food, and entertainment (not travel) *when provided by a sponsor*:
 - of an event on the day that you are speaking or presenting information, **or**
 - of a widely attended gathering, provided that your supervisor determines that your attendance is in the agency's interest.
- Free attendance, food, and entertainment (not travel) *provided by a person other than the sponsor* of a widely attended gathering, if:
 - the market value of the gift of free attendance is \$350 or less and more than 100 persons are expected to attend, **and**
 - your supervisor determines that your attendance is in the agency's interest.
- Meals, lodging, transportation, and other benefits in connection with employment discussions
- Awards for meritorious public service or achievement, and honorary degrees (consult your Ethics Counselor)
- Food and entertainment (not travel and lodging), at social events, if: (1) the invitation is not from a prohibited source, **and** (2) the event is free to all attendees.

On account of his DoN position, an aviation simulator association invites Joe, an N3 officer, to an industry-wide, one-day seminar sponsored by the association, a \$200 value. He is also invited to dinner, which costs \$100, at a restaurant after the seminar with several industry executives. Joe may accept the seminar invitation, provided that his supervisor determines that his attendance furthers DoN's interests. Joe may not accept the free dinner invitation, which is not part of the seminar and is closed to other interested participants.

An annual dinner is held by a veterans' service organization that costs \$125 per person. Representatives from veterans' groups, Congress, and the media will attend. At the dinner, a veteran will be honored. Several NATRACOM employees are given free tickets by Target, one of the corporate contributors. Since it is a widely attended gathering, the employee may be able to accept the free tickets if his or her ethics official determines more than 100 persons are expected to attend the event, and there is an NATRACOM interest in the employee's attendance.

Disposition of Improper Gifts

Rule: If you are offered a gift that you cannot accept, you should:

- Decline the gift
- Return the gift, **or**
- Pay the donor the gift's full market value

Under certain circumstances, perishable items may be:

- **donated to charity**
- **shared within the office**

(check with your Ethics Counselor)

Gifts Between Employees

Rule: You may not accept a gift from an employee who earns less than you (unless you have a personal relationship with the employee and you are not in the chain of command)

Rule: You may not give, make a donation toward, or solicit a gift for someone superior to you in the chain of command.

Exceptions to the Rule

1. On an occasional basis, such as holidays or birthdays, you may give to a superior or receive from a subordinate:

- Non-monetary gifts of up to \$10
- Personal hospitality provided at a residence (or an appropriate host/hostess gift),
- Food or refreshments shared in the office

2. On special, infrequent occasions,

- of personal significance, such as marriage, illness, or birth or adoption of a child
- that terminate the chain of command, such as retirement, resignation, or transfer

you may

- solicit voluntary contributions up to \$10/person for a group gift
- give and accept an appropriate gift that does not exceed \$300 from a group of subordinates

Bill asks his 4 coworkers each to pitch in \$20 to purchase a \$100 golf putter for Doreen, their boss, for Christmas.

- **Bill may not solicit, and he and his coworkers may not give, their boss a group gift or individual gifts at Christmas that exceed \$10.**

Doreen invites the office to a New Year's party at her house. Bill brings a \$20 bottle of wine.

- **The dinner and the wine are both appropriate.**

Doreen decides to retire. Bill would like to get her a golf-related desk set that costs about \$50 to commemorate her career.

- **Bill may solicit for a group gift and contribute toward the group gift**
- **Bill has learned his lesson and does not suggest more than \$10/person.**
- **As the group gift is less than \$300, Doreen may accept it, even though from her subordinates**

CONFLICTS OF INTEREST

Conflicting Financial Interests (18 U.S.C. § 208)

Rule: You may not do government work on a particular matter that will affect the financial interest of:

- You
- Your spouse
- Your minor children
- Your general partner
- Organizations with which you're negotiating or have arrangements for future employment, **or**
- Any organization for which you serve as an employee, officer, director, trustee, or general partner

Bryan, a NAVAIR procurement officer, is about to approve a purchase order for avionic parts. His wife, Deanna, is a co-owner of an avionics parts business that is being considered as the supplier. Bryan may not participate in this process, since the decision will affect his wife's financial interests.

If you think you may have a conflicting financial interest, consult your ethics counselor immediately to determine the appropriate remedy.

Bribery and Graft (18 U.S.C. § 201)

Rule: You may not seek or accept anything of value for being influenced in your official duties.

Commercial Dealings Between DoN Employees

Rule: You may not knowingly solicit or make solicited sales to personnel who are junior in rank, grade, or position (or their families). These dealings include insurance, stocks, real estate, cosmetics, household supplies, and other such goods and services.

During the day, Sue is a supervisor in N7. After hours, Sue operates a cosmetics sales business out of her home. She may not make solicited sales to her subordinates on the job or after work by calling them at home.

Representation of Others in Matters Affecting Government (18 U.S.C. §§ 203/205)

Rule: You generally may not represent anyone outside the Government before a Federal agency or court, or share in any compensation for such representations made by anybody else, if the Government is involved in the particular matter.

Jeremy works as a NATRACOM attorney. Jeremy has received permission to moonlight as a personal injury attorney in town. Jeremy may not represent a client in submitting a claim or bringing a lawsuit against the Federal Government.

IMPARTIALITY IN PERFORMING OFFICIAL DUTIES

Rule: Maintain your impartiality. Don't participate in any particular DoN matter if:

- the matter is likely to affect the financial interest of a member of your household, or a person with whom you have a "covered relationship" is involved in the matter, **and**
- a reasonable person with knowledge of the relevant facts could question your impartiality.

The spouse of a N4 Detachment QA works for a NATRACOM maintenance contractor. The QA would normally be assigned oversight responsibilities that relate to the contractor for whom his/her spouse works. Supervisors should be made aware and consult with an Ethics Counselor

MISUSE OF POSITION

Rule: You may not use, or permit the use of, your Government position, title, or any authority associated with your office:

- To induce or coerce another person to provide any benefit to you or anyone with whom you are affiliated
- To imply that DoN or the Government endorses personal activities
- To endorse any product, service, or enterprise, except as provided by statute or regulation

An ACOS has been asked by his college to serve on the Alumni Association. He may serve in his personal capacity, but may not allow his position as ACOS to be used on the college letterhead or other promotional literature.

USE OF GOVERNMENT RESOURCES

Rule: Use Federal Government equipment and property, including communications systems such as your government computer or government issued iPhone, only for official purposes or authorized purposes as approved by your supervisor.

Rule: Use official time in an honest effort to perform official duties, and don't ask subordinates to perform tasks outside their official duties.

FUNDRAISING

Rule: Fundraising within the Federal work place is limited to the Combined Federal Campaign, Navy-Marine Corps Relief Society, and authorized “by-our-own, for-our-own” organizations, such as the 1st Class Petty Officer’s Association or the Command MWR Committee.

Rule: You may raise funds for organizations in your personal capacity, but you may not use your official title, position, or authority to fundraise, nor may you solicit subordinates or prohibited sources.

Oscar, who is a deputy ACOS, is helping raise funds for his son’s Little League team. Oscar may not ask his subordinates to contribute.

OUTSIDE ACTIVITIES

Rule: You may not have outside employment or activities that would materially impair your ability to perform your duties.

POLITICAL ACTIVITIES

Military members and civilian employees are encouraged to exercise their rights as citizens, such as voting, but they may not engage in partisan political activities on duty, in any Federal workplace, vehicle, or while in uniform. Other restrictions apply.

If you are considering engaging in any political activity, you should consult your Supervisor and Ethics Counselor.

EMPLOYMENT ISSUES

Seeking Employment

Rule: If you are seeking non-Federal employment (e.g., sending resumes to select employers), you may not do Government work on a particular matter that will affect the financial interests of any of your prospective employers. You must give a written disqualification statement to your supervisor.

Janelle, a procurement specialist, is doing work as a Government employee on a contract worth \$500,000. She is offered an interview for a job by the contractor. Janelle must disqualify or recuse herself and inform her supervisor and ethics official.

Post-Government Employment

You may wish to consult your Ethics Counselor before separating from the Government, to learn of any restrictions that will apply to your activities in the private sector. This will depend on your specific duties and level of responsibility as a Government employee.

SOURCES OF FURTHER INFORMATION

If you have further questions, consult your Ethics Counselor.

Additional information is available in:

1. Standards of Conduct for Employees of the Executive Branch (5 C.F.R. Part 2635)

The U.S. Office of Government Ethics has developed a comprehensive set of regulations to assist Federal employees with their ethics questions. This is a primary source of guidance on ethics and standards of conduct. It may be found on the Office of Government Ethics website: www.usoge.gov.

2. DoD 5500.7-R, the Joint Ethics Regulation (“JER”)

The JER contains supplemental regulations for DoD employees. It may be found on the DoD Standards of Conduct Office website: www.defenselink.mil/dodgc/defense_ethics.